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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/809,052	03/16/2001	Shigeru Hayakawa	000400-817	4764

7590

09/24/2003

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EXAMINER

HO, THOMAS Y

ART UNIT

PAPER NUMBER

3677

DATE MAILED: 09/24/2003

Please find below and/or attached an Office communication concerning this application or proceeding.



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# Office Action Summary

Application No.

09/809,052

Applicant(s)

HAYAKAWA ET AL.

Examiner

Thomas Y Ho

Art Unit

3677

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 05 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 2-4, 6-8 and 10-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2-4, 6-8, 10-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

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## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

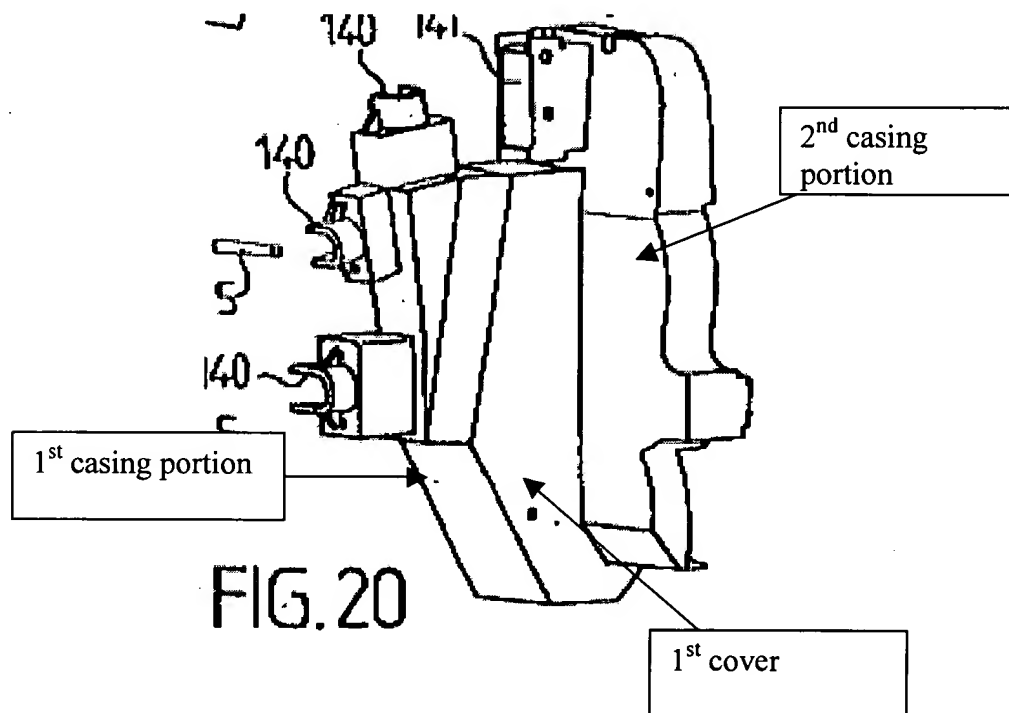
(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2-4, 6-8, and 10-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over DeBlock USPN6497436 in view of the cited case law.

As to claim 2, DeBlock discloses a door lock system for a vehicle comprising: a latch mechanism 14/16 adapted to a vehicle door and latching the vehicle door to a vehicle body; a link mechanism including a electric driving source 42, and a plurality of levers 69/70 for selectively locking and unlocking the latch mechanism (col.11, ln.45-68; col.12, ln.1-21); a housing C accommodating the link mechanism, including the electric driving source and the latch mechanism; an insertion groove 22 into which a striker is movable to be received by a portion of the latch mechanism to latch the vehicle door to the vehicle body; the electric driving source 42 being accommodated in an upper portion of the housing so that the entire electric driving source is above the insertion groove; the housing including a first cover, a second cover 2 and a main body having a first dish-shaped casing portion and a second dish-shaped casing portion, the first casing portion including an opening, closed by the first cover, at one side thereof, the second casing portion connected to the first casing portion and perpendicular to each other, the second casing portion including an opening, closed by the second cover 2, at one side thereof (see enlarged Figure 20 below for first/second casings and first cover), and each of the

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lever members 69/70 of the link mechanism being disposed within at least one of a) a first space defined between the first casing portion and the first cover and b) a second space defined between the second casing portion and the second cover. The difference between the claims and DeBlock is the claims recite that there is a first casing portion including an opening closed by a first cover. DeBlock discloses the claimed limitations except for an opening closed by a cover. It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the one-piece body first casing and first cover disclose by DeBlock to consist of separate first casing body and enclosing cover, since it has been held that constructing a formerly integral structure in various elements involves only routine skill in the art. *Nerwin v. Erlichman*, 168 USPQ 177, 179.



As to claim 3, DeBlock discloses the part of the lever members 69/70 and the electric driving source 42 of the link mechanism are supported by the first casing portion and the first

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cover (42/69/70 are supported on 60, which is mounted to casing C at 113 on support 60; col.15, ln.10-16), and the other lever members of the link mechanism are supported by a base plate 3/36 disposed between the second casing portion and the second cover 2.

As to claim 4, DeBlock discloses one of the lever members of the link mechanism includes an open link 69 coupled to the electric driving source 42 to selectively lock and unlock engagement of the latch mechanism; and another of the lever members includes a lifting lever 70 coupled to the latch mechanism for being engageable and disengageable with the open link (col.11, ln.45-68; col.12, ln.1-21).

As to claim 6, DeBlock discloses the first casing portion and the second casing portion are integrally formed with one another (see Figure 20).

As to claim 7, DeBlock discloses the latch mechanism 14/16 is accommodated in a space between the second cover 2 and a base plate 3 that is secured to an open end of the second cover (Figure 1).

As to claim 8, DeBlock discloses a door lock system for a vehicle comprising a housing C comprised of a main body, a first cover (see enlarged Figure 20 above) and a second cover 2, the main body comprising a first casing portion (see enlarged Figure 20 above) and a second casing portion (see enlarged Figure 20 above), the first casing portion having an open end closed by the first cover (refer to claim 2 above) with a first space between the first cover and the first casing portion, the second casing portion having an open end closed by the second cover 2 with a second space between the second cover and the second casing portion, the first and second casing portions being connected to each other and being oriented relative to one another such that the open end of the first casing portion and the open end of the second casing face in

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directions perpendicular to one another; a latch mechanism 14/16 adapted to latch a vehicle door to a vehicle body, the latch mechanism being accommodated in the housing; an insertion groove 22 into which a striker is movable to be received by a portion of the latch mechanism to latch the vehicle door to the vehicle body; a link mechanism including an electric driving source 42 and a plurality of lever members 69/70 for selectively locking and unlocking the latch mechanism (col.11, ln.45-68; col.12, ln.1-21), the link mechanism, including the electric driving source being accommodated in the housing C, with each of the lever members being accommodated in either the first space or the second space; and the electric driving source being accommodated in an upper portion of the housing so that the entire electric driving source is above the insertion groove 22.

As to claim 10, DeBlock discloses the first casing portion (see enlarged Figure 20 above) and the second casing portion (see enlarged Figure 20 above) are integrally formed with one another.

As to claim 11, DeBlock discloses the latch mechanism 14/16 is accommodated in a space between the second cover 2 and a base plate 3 that is secured to an open end of the second cover 2.

As to claim 12, DeBlock discloses the insertion groove 22 is provided in a base plate 3 attached to the housing.

As to claim 13, DeBlock discloses the insertion groove 22 is provided in a base plate attached to the housing.

As to claim 14, DeBlock discloses including a worm gear 82 extending from the electric driving source 42.

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As to claim 15, DeBlock discloses including a worm gear 82 extending from the electric driving source 42.

***Response to Arguments***

Applicant's arguments with respect to claims 2-4, 6-8, and 10-15 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


USPN6076868 to Roger discloses an electric driving source kept completely above the inlet slot.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas Y Ho whose telephone number is (703)305-4556. The examiner can normally be reached on M-F 10:00AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J. J Swann can be reached on (703)306-4115. The fax phone numbers for the organization where this application or proceeding is assigned are (703)872-9326 for regular communications and (703)872-9327 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)306-1113.

TYH  
August 2, 2003

  
J. J. SWANN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600